

AMENDED IN SENATE APRIL 19, 2005

AMENDED IN SENATE MARCH 30, 2005

SENATE BILL

No. 117

Introduced by Senator Murray
(Coauthors: Senators Dutton and Romero)
(Coauthor: Assembly Member Dymally)

January 26, 2005

An act to amend Section 3010 of the Elections Code, relating to absent voting, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 117, as amended, Murray. Elections: absentee ballots.

Existing law requires an elections official to provide a qualified applicant for absent voting with the ballot for the precinct in which the voter resides and all supplies necessary for the use and return of the ballot.

This bill would require an elections official to provide a qualified applicant for absent voting with a ~~postage-prepaid~~ *business reply* envelope in which to return the ballot. By imposing additional duties on local elections officials, this bill would impose a state-mandated local program.

This bill would establish the Absent Voting Postage-~~Prepaid~~ Fund, a continuously appropriated fund, and authorize moneys deposited in the fund, to be expended to provide ~~postage-prepaid~~ *business reply* envelopes in which to return an absent ballot.

This bill would make a continuous appropriation from the General Fund to this fund, as necessary to carry out the provisions of this bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state *and not covered by the appropriation contained in this bill*, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3010 of the Elections Code is amended
2 to read:

3 3010. (a) The elections official shall deliver to each qualified
4 applicant:

5 (1) The ballot for the precinct in which he or she resides. In
6 primary elections this shall also be accompanied by the ballot for
7 the central committee of the party with which the voter is
8 affiliated, if any.

9 (2) All supplies necessary for the use and return of the ballot,
10 including a ~~postage-prepaid business reply~~ envelope in which to
11 return the completed absent voter ballot.

12 (b) The Absent Voting Postage-~~Prepaid~~ Fund is hereby
13 established in the State Treasury. Moneys in the Absent Voting
14 Postage-~~Prepaid~~ Fund are hereby continuously appropriated and
15 shall be continuously utilized without regard to fiscal years for
16 the payment of ~~expenses incurred by the Secretary of State~~
17 *postage costs incurred by county elections officials* pursuant to
18 this section. Notwithstanding Section 13340 of the Government
19 Code, all funds appropriated by the Legislature to provide
20 ~~postage-prepaid business reply~~ envelopes in which to return
21 completed absent voter ballots shall be deposited into this fund.

22 (c) No officer of this state may make any charge for services
23 rendered to any voter under this chapter.

24 SEC. 2. Notwithstanding Section 13340 of the Government
25 Code, there is hereby continuously appropriated from the General
26 Fund, for purposes of Section 3010 of the Elections Code, a sum
27 of money necessary to carry out that section, appropriated
28 without regard to fiscal years.

1 SEC. 3. If the Commission on State Mandates determines that
2 this act contains costs mandated by the state *not covered by*
3 *Section 2 of this act*, reimbursement to local agencies and school
4 districts for those costs shall be made pursuant to Part 7
5 (commencing with Section 17500) of Division 4 of Title 2 of the
6 Government Code.

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9 CORRECTIONS:

10 Text — Page 3.
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